IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 140 OF 2006.
IN
NOTICE OF MOTION NO.1928 OF 2003.
IN
SUIT NO.1705 OF 1998.

Bralco Metal Industries Ltd. ... Appellant.
Versus.
M/s.Elite Auto Industries and
others. ... Respondents.

Shri Sanjay Dalal i/by M/s.Dalal & Co. for the Appellant.

Shri N.K.Mudnaney for the Respondents Nos.1, 2, 4 & 5.

CORAM : KSHITIJ R.VYAS, C.J., &
ABHAY S.OKA, J.
DATE : 13th July, 2006.

P.C.:

1. The learned Counsel appearing for the Respondents Nos.1, 2, 4 and 5 has filed an undertaking of the said Respondents signed by Rameshchandra Gurbaxrai Gupta, Respondent No.2, for himself and for the other Respondents. The same is taken on record and marked "X" for identification. The undertaking is accepted.

2. In view of the said undertaking the learned Counsel appearing for the Appellant seeks to withdraw the Appeal. The Appeal is accordingly dismissed as withdrawn.

CHIEF JUSTICE

ABHAY S.OKA, J.